

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Services - Commercial Tax Department – Sri P. Guru Swamy, Senior Assistant in Accounts Section, O/o. the CCT., Hyderabad – Representation to consider his name for promotion as ACTO in Chittoor Division as per division seniority duly repatriating him to his native division – Orders - Issued.

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REVENUE (CT.I) DEPARTMENT

G.O.Rt.No. 1316

Dated 23-06-2008  
Read the following:

1. Reprn. of Sri P. Guru Swamy, Sr. Assistant, O/o. the CCT., Dated 16.03.2006.
2. From the CCT Lr. Ref.No.C1/754/2005, Dated 31.01.2006 & 22-11-2006.
3. Govt. Memo No.12641/CT.I(2)/2006-5,Dt. 7-03-07 & 23.01.2008.
4. From the CCT. Lr. No.C1/754/2005, Dt.03-09-07 & 25-03-2008

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O R D E R:

In the reference 1<sup>st</sup> read above, Sri P.Guruswamy has stated that he is working as Senior Assistant in the office of the Commissioner of Commercial Taxes, A.P., Hyderabad and requested to repatriate him to Chittoor division the unit from where he was drafted to look after his old parents who are bed ridden.

2. The Commissioner of Commercial Taxes who has been requested to state whether the lien of the individual has been terminated in the parent Division and his services were regularized / confirmed in the O/o the Commissioner of Commercial Taxes and if not, furnished the reasons there for has stated that the individual was drafted to Commissioner of Commercial Taxes Office on 05-06-2000 (F.N.) under Rule 3 (Note (2) of A.P.M.S. Rules, 1998.

3. The Commissioner of Commercial Taxes has reported that Sri P.Guruswamy, Senior Assistant, lien period is over in the subordinate office as per F.R. Rule 14. So far lien termination orders in case of Senior Assistants appointed by transfer in the Commissioner of Commercial Taxes Office have not been received from sub-ordinate office in the State.

4. The Commissioner of Commercial Taxes in his Lr. Dt. 25-03-2008 has stated that Sri P.Guruswamy was relieved in Chittoor Division, Cuddapah –I Circle on 03-06-2000 A.N. so as to enable him to join in Commissioner of Commercial Taxes, Hyderabad and his lien was not terminated by the DC (CT) Chittoor.

5. The Government have carefully examined the above proposals, keeping in view the rule position and observe that according to FR 15(a) the State Government may transfer the Government servant from one post or another , provided that except(1) on account of inefficiency or misbehavior or (2) on his written request, a Government servant shall not be transferred substantively to, or, except in a case covered by rule 49 appointed to officiate in a post carrying less pay than the pay of the permanent post to which he holds a lien, or would hold a lien, of which his lien not been suspended under rule 14(b) Nothing contained in clause(a) of the rule, or in clause(13) to rule 9 shall operate to prevent re-transfer of a Government servant to the post on which he would hold a lien had it not been suspended in accordance with the provisions of clause (a) of rule 14.

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6. It is further observed that the lien of Sri P.Guruswamy has not been terminated in his parent unit i.e. Chittoor Division and on his transfer the employee will bring along with him his seniority also which he had in the previous post in that unit and in case he has not made permanent /regular in the present dept he continued to hold his lien in the parent Department. No provision is available in rule 3(2) of the APMS Rules for repatriation of the individual to subordinate office except on facing of reversion in the unit. However if lien is available in the unit and if he is not confirmed in the dept to which he is transferred, he may be re-transferred to such unit under FR 15.

7. In view of the above, it has been decided to repatriate Sri P.Guruswamy, Senior Assistant to his native division Chittoor. Accordingly Government direct that Sri P.Guruswamy, Senior Assistant, O/o the Commissioner of Commercial Taxes be repatriated to his native division Chittoor.

8. The Commissioner of Commercial Taxes is requested to take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SUDHIR,  
PRINCIPAL SECRETARY TO GOVERNMENT.

To  
The Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad.  
Sri P.Guruswamy, Senior Assistant,  
THROUGH Commissioner (CT), A.P., Hyderabad  
Copy to the Deputy Commissioner (CT), Chittoor division.

//FORWARDED::BY ORDER//

SECTION OFFICER